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nationals of small powers. The great powers insisted upon permanent representation, the small powers upon equality. It remained for Mr. Root to take advantage of the existing organization of the League of Nations and point the way to a satisfactory compromise. If the plan is ratified, a seemingly insoluble problem will be resolved by providing for a small court of eleven judges and four deputy judges elected by the concurrent action of the League Council in which the great nations are dominant and the Assembly in which all nations are equal. Turning from the question of the court's composition to the problem of its jurisdiction, the committee decided, although not unanimously, to recommend obligatory jurisdiction in five categories of cases. This recommendation was received enthusiastically by the smaller nations; but it was opposed by the great powers, and before the project received the approval of the Council and the Assembly the compulsory feature was eliminated. The procedure before the court is to be simple and in general very much like the system which has been developed in arbitrations at The Hague.

Dr. Scott has reproduced the draft-scheme article by article, together with a full, informing, and readable commentary. The commentary is non-technical and is introduced in order to explain briefly for each article the circumstances under which it was adopted, its relation to similar articles in other projects, notably those considered at The Hague in 1907, and also the advisory committee's interpretation wherever an interpretation was informally considered. Although quite unofficial, it will be an invaluable aid to an understanding of the project. Parallel French and English texts without commentary, the text of the advisory committee's resolutions, relevant articles from the League Covenant, and about forty pages of documentary matter taken from various projects for an international court are assembled in the annexes and the appendix. The whole is well indexed.

The project has been approved by the Council and the Assembly, with compulsory jurisdiction eliminated, and now awaits ratification by a majority of the members of the League of Nations. It is a remarkable achievement. The United States has been a leader in the movement for a permanent international court of justice. In view of what has been accomplished, can the United States afford to scrap the existing machinery of the League? There is no answer in the pamphlet reviewed, but there is food for thought.

EDWIN D. DICKINSON

THE BRITISH YEAR BOOK OF INTERNATIONAL LAW. 1920-1921. By HENRY FROWDE, and HODDER & STOUGHTON: New York: OXFORD UNIVERSITY PRESS. 1920 pp. viii, 292.

TAFT PAPERS ON THE LEAGUE OF NATIONS. Edited by THEODORE MARBURG and HORACE E. FLACK. New York: THE MACMILLAN Co. 1920. pp. xx, 340.

THE NEW WORLD ORDER. By FREDERICK C. HICKS. New York: DOUBLEDAY, PAGE & Co. 1920. pp. viii, 496.

THE MAKING OF THE REPARATION AND ECONOMIC SECTIONS OF THE TREATY. By BERNARD M. BARUCH. New York: HARPER & BROTHERS. 1920. pp. 353.

THE DANUBE: ITS HISTORICAL, POLITICAL AND ECONOMIC IMPORTANCE. By DR. HENRY HAJNAL. The Hague: MARTINIUS NIJHOFF. 1920. pp. 167.

THE UNITED STATES OF AMERICA: A STUDY IN INTERNATIONAL ORGANIZATION. By JAMES BROWN SCOTT. New York: OXFORD UNIVERSITY PRESS. 1920. pp. xix, 605.

The flood of books like the above shows the continued attention being paid to the question of international relations. The solid technical part of this subject,—international law, is certainly not a thing of the past, as many believe.

But that it is going through a period of *Sturm und Drang* is apparent,—no one will dare to prophesy its future. Our views depend to some extent—perhaps mainly—upon our temperaments and philosophies. If we are optimists and have faith in humanity and its progress, we see a great future,—a World State of law and order. (There are many, also, who in forecasting this, are expressing merely a pious wish, because of their inherent like for unity and peace.) If we are pessimists, and as such, often determinists,—compare for instance the German leader's mind before the war as typified by the general picture of Bernhardt (*not* that given by Stephen Leacock in his "Sidelights on the Supermen", *Moonbeams from the Larger Lunacy*, page 229),—we see merely a continuance of the paradoxical system, where a series of orderly states suddenly find themselves in conflict, amid international anarchy and chaos.

Some attempt has been made to give a systematic account of the effect of the Great War on international law, for instance Professor Garner's *International Law and the World War* and the late Professor Oppenheim's *International Law, Third Edition*. (These books will be reviewed in a subsequent number of the COLUMBIA LAW REVIEW.) Such works are indeed welcome as illustrations of the fact that law books, especially of international law, are and can be kept up to-date. That we cannot expect to have complete treatises on diplomacy and international law in its broader sense, is obvious. They would be written at a time too near the date of actual occurrences. They would lack a proper perspective. To furnish some necessary raw material from which more complete works will be made, we must turn to publications like *The British Year Book of International Law*. This is a British periodical, edited by Cyril M. Picciotto, of the Inner Temple and the North Eastern Circuit, and "established because its promoters feel that a wider knowledge and comprehension of the subject is essential at the present time, and that a British periodical devoted to international law would help to this end." The spirit with which this enterprise is launched is commendable—the necessity for study and thought, the application of such to the problems of the present, the desire to revalue and test old principles, "primary rules". The volume for 1920-1921 has a varied series of articles by recognized authorities, and some by the editorial staff, including for instance, "The League of Nations and the Laws of War", "Submarine Warfare", "The Peace Treaty in its Effects on Private Property", "International Labour Conventions", "Heinrich Lammasch", the prominent Austrian jurist, and "Professor Oppenheim", Professor of International Law at Cambridge.

Typical of another class of books which will be of value to the writer of treatises on the effect of the war on international law is *Taft Papers on the League of Nations*. William Howard Taft's experience on the bench, as an executive, and in the class room has well fitted him to discuss the League question. This book was published just before the presidential campaign, with a short explanation of why Mr. Taft was going to vote for Harding. However, since this is merely a collection of public statements made long before the campaign (from 1915 to the adoption of the Paris Covenant in 1918), this political tinge in no way detracts from Mr. Taft's able answers to the various objections to the League, especially the argument that the United States could not under the Constitution become a member of such a body.

An excellent short and rather complete account of the League Covenant appears in *The New World Order*. This deals with the League in relation to international *organization*, international *law*, and international *coöperation*. While Mr. Taft is avowedly an advocate of the League, Mr. Hicks wishes the facts, as he finds them, to speak for themselves, though his study has also resulted in the conviction that the League should be supported. About one seventh of the

book is devoted to International Law and the League. Chapter XII on "International Tribunals With Permanent Personnel" gives a good summary of the plan for a new court to be created as provided by Article 14. That the point of view with which one starts out to write a book has necessarily an important effect on the result is aptly illustrated by *The Making of the Reparation and Economic Sections of the Treaty*. Mr. Keynes, who was Official Representative of the British Treasury at the Paris Peace Conference up to June 7, 1919, by his startling attack on the economic parts of the treaty seems to have called forth an able defense by Mr. Baruch, who was Economic Adviser to the American Commission to Negotiate Peace. He is an ardent admirer of Wilson, and tries to show not only that America's interests were protected at the conference, but that the economic clauses were the best obtained under the circumstances. True the treaty is severe. But the "measure of its worth lies in the processes of its execution and the spirit in which it is carried out by all of the parties to the contract."

The Danube, by Dr. Henry Hajnal, represents a kind of book of which too many cannot be written. It is an attempt to gather together material on one relatively small thing with which the Peace Treaties of 1919-1920 deal, so that there may be a sound basis for working out its current problems. By these treaties, the Powers were to draw up a "General Convention" for the regulation of traffic on international rivers, including the Danube, which has been under the control of an international commission for some time. As late as 1883, Sir Charles Dilke had pointed out at the London Congress, that though "there were many people who knew a little about the Danube . . . there was not a single one who knew the subject thoroughly." This book treats the Danube in its historical, political, and economic aspects. It is not a very lengthy or pretentious work, but has a very meaty section on international law with reference to the Danube from the Paris Treaty to the spring of 1920.

Mr. Scott's *The United States of America: A Study in International Organization* explains itself. It shows us the analogy between the problem before the original sovereign American States and that before the present sovereign countries of the world. How the delegates of the American states worked out their difficulties and formed a Union is stated in great detail, with many citations to original sources, collections of sources, and secondary works. That the World Union may take form and operate in a similar way, though not necessarily the same way, is suggested (pp. 468-9).

UNIFORM STATE LAWS IN THE UNITED STATES. By CHARLES THADDEUS TERRY. New York: BAKER, VOORHIS & Co. 1920. pp. xi, 688.

The purpose of this book is declared to be the promotion of uniformity of laws. This involves the necessity of keeping the Uniform State Laws once adopted, free from separate special state legislative changes and also free from different judicial interpretation. This latter aim is furthered by collecting under each section of the various Uniform Laws, the cases in all jurisdictions construing such section.

"Both the general theory of the movement for Uniform State Laws and the specific mandate involved in this provision give to the decisions in any particular state upon the question of the interpretation or construction of a particular section of any one of the Uniform Acts, substantially the force of a legal precedent of the utmost persuasiveness upon the particular court which may have the same question under consideration, although it may be the court of another state than that in which such decisions are found. Only thus can uniform State Laws be kept genuinely uniform."